

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

| | | |
|--------------------------------------|---|------------------------|
| REBECCA TERRY, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 17-cv-01112 |
| |) | |
| COUNTY OF MILWAUKEE, <i>et al.</i> , |) | Hon. J.P. Stadtmueller |
| |) | |
| Defendants. |) | JURY TRIAL |
| |) | DEMANDED |

PLAINTIFF'S MOTION FOR LEAVE TO FILE *INSTANTER*

Now comes Plaintiff, Rebecca Terry, through her attorneys, Loevy & Loevy, and respectfully asks this Court to grant her leave to file *instanter* Plaintiff's Omnibus Response to Defendants' Motions for Summary Judgment. In support of her request, Plaintiff states as follows:

1. Plaintiff's response to the Defendants' motions for summary judgment was due on September 21, 2018. Plaintiff's counsel worked diligently to meet that deadline.
2. Plaintiff seeks very narrow relief: that her response to Defendants' motions for summary judgment and supporting materials filed less than an hour and a half after the deadline be deemed timely filed *instanter* (or "nunc pro tunc").
3. Plaintiff's counsel and support staff worked diligently to file the various pleadings and exhibits as soon as practicable.
4. Accordingly, Plaintiff respectfully requests that this Court excuse the late filing and grant Plaintiff leave to file *instanter* her response to Defendants' motions for summary judgment,
5. Due to the late hour, Plaintiff has not contacted counsel for any of the Defendants to inquire whether they object to Plaintiff's request. Yet no Defendant can claim prejudice by the filing of Plaintiff's motion, given that Plaintiff is seeking an extension of less than an hour and a half, and Plaintiff's request will not delay the proceedings.

Wherefore, Plaintiff respectfully requests that this Court grant her leave to file Plaintiff's
Omnibus Response to the Defendants' Motion for Summary Judgment *instanter*.

RESPECTFULLY SUBMITTED,

/s/ Theresa Kleinhaus

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